IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Application Number: 10/731,458

Filing Date: 12/09/2003

Applicant(s): William V. DaPalma; Brett J. Gavagni;

  Matthew W. Hartley; and, Brien H. Muschett

Entitled: SYSTEM AND METHOD FOR GENERATING A
  UNIQUE, FILE SYSTEM INDEPENDENT KEY FROM A
  URI (UNIVERSAL RESOURCE IDENTIFIER) FOR USE
  IN AN INDEX-LESS VOICEXML BROWSER
  CACHING MECHANISM

Examiner: Pannala, Sathyanaraya R.

Group Art Unit: 2164

Attorney Docket No.: BOC920030097US1 (1082-008U)

TRANSMITTAL OF APPEAL BRIEF

Mail Stop Appeal Brief - Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith is Appellants' Appeal Brief in support of the Notice of Appeal filed

concurrently herewith in response to the New Non-Final Office Action mailed March 24, 2008

re-opening prosecution subsequent to Appellants' filing of the Appeal Brief dated December 19,

2007.

Date: July 24, 2008   Respectfully submitted,

  /Steven M. Greenberg/
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  Registration No. 44,725
  Customer Number 46322

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APPEAL BRIEF

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Sir:

This Appeal Brief is submitted in support of the Notice of Appeal filed concurrently herewith, wherein Appellants appeal from the Examiner's rejection of claims 1 through 18.

I. REAL PARTY IN INTEREST

This application is assigned to International Business Machines Corporation by assignment recorded on December 9, 2003, at Reel 014787, Frame 0202.

II. RELATED APPEALS AND INTERFERENCES

Appellant is unaware of any related appeals and interferences.

III. STATUS OF CLAIMS

Claims 1 through 18 are pending in this Application and have been three times rejected. It is from the multiple rejections of claims 1 through 18 that this Appeal is taken.

IV. STATUS OF AMENDMENTS

The claims have not been amended subsequent to the imposition of the Final Office Action dated March 20, 2007.

V. SUMMARY OF CLAIMED SUBJECT MATTER

Independent claims 1, 7 and 13 are respectively directed to a method, machine readable storage and system of constructing a system-independent key from a universal resource indicator for use in an index-less caching system.

In accordance with the Appellants' invention, a method, system and machine readable storage can be enabled to store and access documents on a computer file system utilizing a file system-independent key for use in an index-less browser caching mechanism (Par. [0016], lines 1-5). In the Applicants' invention, a resource such as a document or group of documents can be stored on a computer file system using a Universal Resource Indicator (URI) as the file name by generating a unique system-independent key from the URI for use in an index-less browser caching system. (Par. [0018], lines 7-9) Additionally, the invention takes into account the various file entry length limitations enforced by each unique file system by converting the

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specified URI into a key containing hexadecimal values of the key's characteristics. (Par. [0021], lines 1-4) In this fashion, an index-less browser caching system such as a Web browser of a VoiceXML browser can be created that is file system-independent. (Par. [0020], lines 6-8)

Claim 1 as originally filed recites a method of constructing a system-independent key from a universal resource indicator for use in an index-less caching system. (Par. [0016], lines 1-5) The method can include converting characters of the universal resource indicator to equivalent values (Par. [0019], lines 3-4) resulting in a value string having a value string length (Par. [0021], lines 1-4). Further, the value string can include a file name associated with a cached resource. (Par. [0021], lines 5-9)

Claim 7 as originally filed recites a machine readable storage medium storing a computer program which when executed constructs a system-independent key from a universal resource indicator for use in an index-less caching system. (Par. [0016], lines 1-5) The computer program can perform a method that can include converting characters of the universal resource indicator to equivalent values (Par. [0019], lines 3-4) resulting in a value string having a value string length (Par. [0021], lines 1-4). Further, the value string can include a file name associated with a cached resource. (Par. [0021], lines 5-9)

Finally, Claim 13 as originally filed recites a system for constructing a system-independent key from a universal resource indicator for use in an index-less caching system. (Par. [0016], lines 1-5) The system can include a computer having a database (Par. [0017], lines 1-5), the database storing a cached resource (Par. [0009], lines 5-9), the location of the cached

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resource identified by a universal resource indicator (Par. [0018], lines 7-8); and a central

processing unit (Par. [0017], lines 1-4), the central processing unit converting characters of the

universal resource indicator to equivalent values resulting in a value string having a value string

length, the value string including a file name associated with a cached resource (Figure 2, Blocks

80-110).

VI. GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL

1.   The Title of the Invention complies with the requirements set forth in M.P.E.P.

2.   Claims 1 through 18 are not obvious under 35 U.S.C. § 103(a) over U.S. Patent

No. 6,154,742 to Harriot in view of U.S. Patent No. 6,289,358 to Mattis.

VII. THE ARGUMENT

THE TITLE OF THE INVENTION AS "TOO LONG".

In the Appellants' response of August 21, 2006 to the Non-Final Office Action dated May

18, 2006 (the "Response") and further in the Appeal Brief filed December 17, 2007 (the

"Previous Appeal Brief"), Appellants noted, M.P.E.P. 606 permits titles of up to 500 characters

in length." Consequently, in the Response the Appellants concluded that no change in the Title

of the Invention was required. Notwithstanding, in the Final Office Action dated March 20,

2007 (the "Final Office Action"), and again in the New Non-Final Office Action, the Examiner

repeated the objection to the Appellants' Title of the Invention whilst completely ignoring the

Appellants' recitation of M.P.E.P. 606 previously. For the convenience of the Honorable Board,

M.P.E.P. 606 reads in part,

> The title of the invention may not exceed 500 characters in length and must be as
> short and specific as possible

Thus, the Examiner has erred in persisting in the requirement that the Appellants shorten the Title of the Invention.

THE REJECTION OF CLAIMS 1 THROUGH 18 UNDER 35 U.S.C. § 103 AS BEING UNPATENTABLE OVER HARRIOT IN VIEW OF MATTIS.

For convenience of the Honorable Board in addressing the rejections, claims 2 through 7 stand or fall together with independent claim 1, claims 9 through 12 stand or fall together with independent claim 8, and claims 14 through 18 stand or fall together with independent claim 13..

I.   Harriot Does Not Teach the Conversion of the Characters of a URI into Equivalent Values.

Presently, claim 1 reads as follows:

1.   A method of constructing a system-independent key from a universal resource indicator for use in an index-less caching system, the method comprising converting characters of the universal resource indicator to equivalent values resulting in a value string having a value string length, the value string including a file name associated with a cached resource.


Notably, in the Response, the Appellants made clear that as expressly recited in the originally filed claim 1, a representation of a URI is created through the "conversion" of the "characters" of the URI. The cited portion of Harriot, however, only taught the storage of an unconverted URI in a table. To assist the Examiner in understanding this clear distinction, the Appellants reproduced the entirety of the cited portion of Harriot as follows:

As depicted in FIG. 2, server SYSA 215 is transferring a copy of document 225, named PAGE1.HTML, to client computer 210, in response to a previous HTTP GET request (not shown) by client computer 210. Client computer 210 is equipped with a cache file 230 indexed by a cache table 235. Cache table 235 is a table used to index cache 230. Cache table 235 comprises a plurality of rows 238 and columns 240. Each row 238 is used to describe a cached element, such as downloaded HTML document 225. **Columns 240 include a URI column 245**, an OID column 247, and a cache pointer column 249. The use of the cache table 235 will be described in further detail below, however, in summary, URI column 245 contains a representation of a location code of a cached resource. Typically this will be a representation of a Uniform Resource Identifier ("URI"), such as a Uniform Resource Locator ("URL"), or any other indicator of the location of the cached resource. The syntax and semantics of URLs are described in Berners-Lee, et al., RFC 1738: Uniform Resource Locators (URL) (December 1994), the disclosure of which is hereby incorporated by reference.

On page 3 of the New Non-Final Office Action, the Examiner no longer believes that Herriot discloses each and every limitation recited in Appellants' independent claims. Specifically, Examiner states, "Herriot does not explicitly teach converting URL characters to a name."

Notwithstanding, Examiner now believes that Mattis cures the identified deficiencies of Herriot by reference to Figure 2 and column 8, lines 19-26 of Mattis. Figure 2, however, appears to provide no teaching relating to the conversion of any value and Appellants are bewildered why Examiner would refer to Figure 2 for any such teaching. For the convenience of the Honorable Board, the entirety of Figure 2 of Mattis is reproduced herein:

FIG. 2
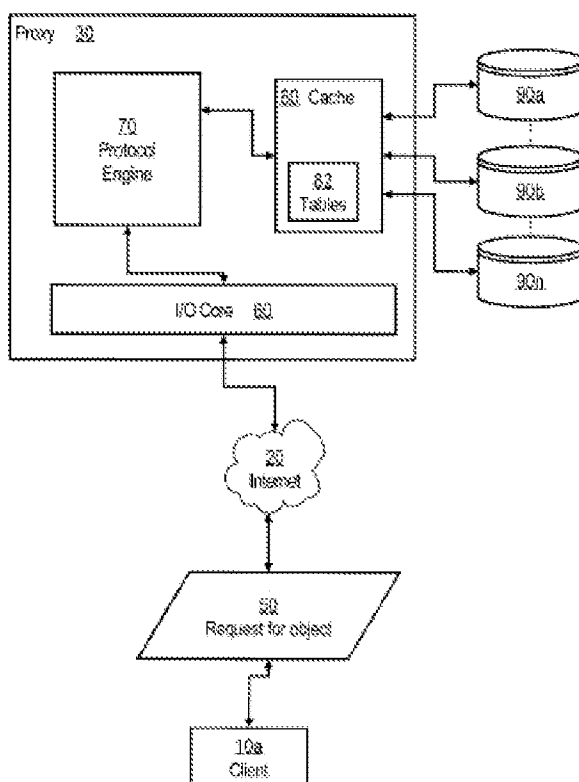
Likewise, column 8, lines 19 through 26 are reproduced herein as follows for the convenience of the Honorable Board:

> Name keys are used to convert URLs and other information resource names into a metadata structure that contains object keys for the object data. As will be discussed subsequently, this two-level indexing structure facilitates the ability to associate multiple alternate objects with a single name, while at the same time maintaining a single copy of any object content on disk, shared between multiple different names or alternates.

Again, Appellants can find no logic for Examiner having cited to column 9, lines 19 through 26 in support of the proposition that Mettis teaches "converting characters of the universal resource indicator to equivalent values resulting in a value string having a value string length, the value string including a file name associated with a cached resource."

Alarmingly, Examiner has provided no clear explanation for having cited Mettis and the entire explanation provided by Examiner is merely a recitation of Appellants' claim language! Examiner appears to have completely ignored Examiner's responsibility under 37 C.F.R. 1.104(c)(2) which provides in relevant part:

> In rejecting claims for want of novelty or for obviousness, the examiner must cite the best references at his or her command. When a reference is complex or shows or describes inventions other than that claimed by the applicant, the particular part relied on must be designated as nearly as practicable. The pertinence of each reference, if not apparent, must be clearly explained and each rejected claim specified.

By reference to Examiner's reasoning on page 3 of the New Non-Final Office Action, it is quite clear that Examiner has neither cited the best reference at his command, nor has Examiner clearly explained the pertinence of the reference as applied to the rejected claims leaving Appellants guessing as to Examiner's rationale.

In guessing Examiner's rationale, Appellants' presume Examiner equates the statement in Mettis of "Name keys are used to convert URLs and other information resource names into a metadata structure that contains object keys for the object data" with the Appellants' claimed "converting characters of the universal resource indicator to equivalent values resulting in a value string having a value string length, the value string including a file name associated with a cached resource." Appellants are at a loss, however, where the teaching of "equivalent values

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resulting in a value string having a value string length, the value string including a file name associated with a cache resource" can be found in "a metadata structure that contains object keys for the object data".

II.   Conclusion

In view of the foregoing, Appellants respectfully submit that the Examiner's rejections under 35 U.S.C. § 103(a) based upon the applied prior art are not viable. Appellants further respectfully submit that the Examiner's objection to the Title of the Invention is flawed. Appellants, therefore, respectfully solicit the Honorable Board to reverse the Examiner's rejections under 35 U.S.C. § 103(a).

Date: July 24, 2008   Respectfully submitted,

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VIII. CLAIMS APPENDIX

1.   (Original)   A method of constructing a system-independent key from a universal resource indicator for use in an index-less caching system, the method comprising converting characters of the universal resource indicator to equivalent values resulting in a value string having a value string length, the value string including a file name associated with a cached resource.

2.   (Original)   The method of claim 1 further comprising:

determining if the value string length exceeds a predetermined maximum file entry length for the caching system; and

converting the value string into discrete file entries including one or more directory entries and the file name associated with the cached resource, wherein each discrete file entry contains a number of values equal to or less than the maximum file entry length.

3.   (Original)   The method of claim 1 wherein the index-less caching system is a Web browser.

4.   (Original)   The method of claim 1 wherein the index-less caching system is a VoiceXML browser.

5.   (Original)   The method of claim 1 wherein the equivalent values are alphanumeric values.

6. (Original) The method of claim 5 wherein the alphanumeric values are hexadecimal values.

7. (Original) A machine readable storage medium storing a computer program which when executed constructs a system-independent key from a universal resource indicator for use in an index-less caching system, the computer program performing 'a method comprising converting characters of the universal resource indicator to equivalent values resulting in a value string having a value string length, the value string including a file name associated with a cached resource.

8. (Original) The machine readable storage medium of claim 7 further comprising:
   determining if the value string length exceeds a predetermined maximum file entry length for the caching system; and
   converting the value string into discrete file entries including one or more directory entries and the file name associated with the cached resource, wherein each discrete file entry contains a number of values equal to or less than the maximum file entry length.

9. (Original) The machine readable storage medium of claim 7, wherein the index-less caching system is a Web browser.

10. (Original) The machine readable storage medium of claim 7, wherein the index-less caching system is a VoiceXML browser.

11.   (Original)   The machine readable storage medium of claim 7, wherein the equivalent values are alphanumeric values.

12.   (Original)   The machine readable storage medium of claim 11, wherein the alphanumeric values are hexadecimal values.

13.   (Original)   A system for constructing a system-independent key from a universal resource indicator for use in an index-less caching system, the system comprising a computer having:

a database, the database storing a cached resource, the location of the cached resource identified by a universal resource indicator; and

a central processing unit, the central processing unit converting characters of the universal resource indicator to equivalent values resulting in a value string having a value string length, the value string including a file name associated with a cached resource.

14.   (Original)   The system of claim 13, the central processing unit further determining if the value string length exceeds a maximum file entry length for the caching system, and converting the value string into discrete file entries including one or more directory entries and the file name associated with the cached resource, wherein each discrete file entry contains a number of values equal to or less than the maximum file entry length.

15.   (Original)   The system of claim 13, wherein the index-less caching system is a Web browser.

16.   (Original)   The system of claim 13, wherein the index-less caching system is a VoiceXML browser.

17.   (Original)   The system of claim 13, wherein the equivalent values are alphanumeric values.

18.   (Original)   The system of claim 17, wherein the alphanumeric values are hexadecimal values.

IX. EVIDENCE APPENDIX

No evidence submitted pursuant to 37 C.F.R. §§ 1.130, 1.131, or 1.132 of this title or of any other evidence entered by the Examiner has been relied upon by Appellant in this Appeal, and thus no evidence is attached hereto.

X. RELATED PROCEEDINGS APPENDIX

Since Appellant is unaware of any related appeals and interferences, no decision rendered by a court or the Board is attached hereto.